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1/21/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In re application of: Chen, Zhizang, et al.

Art Unit: 2822

Examiner: Lewis, Monica

Serial Number: 09/846,127

Filed: April 30, 2001

Title: ANNEALED TUNNELLING EMITTER

10 Date: January 21, 2003**AMENDMENT UNDER 37 CFR § 1.111**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

15

Sir:

In response to the Office Action dated November 1, 2002 please amend and reconsider the above-identified patent application as follows:

20 In the Claims:

Please cancel claims 18-20 and 41-71 without prejudice.

25

REMARKS

Claims 18-20 and 41-71 have been cancelled. Claims 1-17 and 21-40 remain in the application. Further examination and reconsideration of the application, as amended, is hereby requested.

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Applicants have cancelled claims 18-20 and 41-71 as being directed to a non-elected invention. Applicants intend to pursue these claims in a divisional application.

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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Zhizhang Chen et al

Application No.: 09/846127

Filing Date: Apr 30, 2001

Title: Annealed Tunneling Emitter (As Amended)

Confirmation No.: 5243

Examiner: Mark Lewis

Group Art Unit

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Box Non-Fee Amendments")
() Other: (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$84	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$410.00	3RD MONTH \$930.00	4TH MONTH \$1450.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. ~~A duplicate copy of this sheet is enclosed.~~

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 1/21/03

Typed Name: Timothy F. Myers

Signature: Timothy F. Myers

Respectfully submitted,

Zhizhang Chen et al

By

Timothy F. Myers

Attorney/Agent for Applicant(s)

Reg. No. 42,919

Date: 1/21/03